

PATENT COOPERATION TREATY



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/RU2003/000273	International filing date (<i>day/month/year</i>) 25 June 2003 (25.06.2003)	Priority date (<i>day/month/year</i>)
International Patent Classification (IPC) or national classification and IPC B64D 1/08		
Applicant	SMETANNIKOV, Valery Ilyich	

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 3 sheets, including this cover sheet.

This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 1 sheets.

3. This report contains indications relating to the following items:

- I Basis of the report
- II Priority
- III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV Lack of unity of invention
- V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement
- VI Certain documents cited
- VII Certain defects in the international application
- VIII Certain observations on the international application

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Date of submission of the demand 21 January 2005 (21.01.2005)	Date of completion of this report 07 September 2005 (07.09.2005)
Name and mailing address of the IPEA/RU	Authorized officer
Facsimile No.	Telephone No.

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I. Basis of the report

1. With regard to the elements of the international application:*

- the international application as originally filed
 the description:

pages _____ 1-10 . as originally filed
 pages _____ . filed with the demand
 pages _____ . filed with the letter of _____

- the claims:

pages _____ 12 . as originally filed
 pages _____ . as amended (together with any statement under Article 19)
 pages _____ . filed with the demand
 pages _____ 11 . filed with the letter of 07 June 2005 (07.06.2005)

- the drawings:

pages _____ . as originally filed
 pages _____ . filed with the demand
 pages _____ . filed with the letter of _____

- the sequence listing part of the description:

pages _____ 1/7-7/7 . as originally filed
 pages _____ . filed with the demand
 pages _____ . filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

- the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
 the language of publication of the international application (under Rule 48.3(b)).
 the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority in written form.
 furnished subsequently to this Authority in computer readable form.
 The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description, pages _____
 the claims, Nos. _____
 the drawings, sheets/fig _____

5. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1 - 8	YES
	Claims		NO
Inventive step (IS)	Claims	7 - 8	YES
	Claims	1 - 6	NO
Industrial applicability (IA)	Claims	1 - 8	YES
	Claims		NO

2. Citations and explanations

This report makes reference to the following documents, which were cited in the search report:

D1: RU 2093424 C1

D2: US 3396924 A

D3: RU 2172282 C1

D4: SU 1794042 A3

and to the following additional document:

D5: I.V. Merinov et al., "Portovyie i takelazhnyie raboty, Spravochnik, Moscow, 1983, pages 81-90, figure 84 (a 7-page copy is attached), and the applicant's conclusions and amended claim 1, to the amended part of which the feature "...a pair of bracing straps...separated from each other at the bottom of the package" has been added, which was on page 5 in the original description.

D1 discloses a device for accommodating cargo in an aircraft and airdropping said cargo therefrom, comprising pallets for stacking cargo in the cargo hold along the longitudinal axis of the aircraft, means for securely fixing the cargo packages to the pallets, devices for fixing the pallets to prevent the longitudinal displacement thereof which, when open, enable the pallets carrying cargo to be moved into the airdropping position, and a means for fixing the pallets prior to their

positioning for airdropping.

The invention according to claim 1 differs from that known from D1 in that each of the indicated means for fixing cargo packages on pallets comprises at least one pair of bracing straps that gird the package in vertical or nearly vertical planes, that connect to each other on top of the package, and that are separated from each other at the bottom of the package.

Consequently, claim 1 and dependent claims 2-8 meet the requirement of novelty.

A device is known for accommodating cargo packages on a pallet, having a means for fixing cargo packages to pallets, comprising at least one pair of bracing straps that gird the package in nearly vertical planes, that connect to each other on top of the package (which is also disclosed in D2 and D5) and that are separate from each other at the bottom of the package (D5), which, as in the claimed device, also promotes the reliability of distribution of the cargo packages upon landing while maintaining a security guarantee, and therefore claim 1 does not satisfy the criterion of inventive step.

D3 discloses a device for accommodating cargo which comprises pallets for stacking cargo accommodated in sacks and makes it easier to fix the cargo packages to the pallets, and therefore claim 2 does not satisfy the criterion of inventive step.

The features that are indicated in dependent claim 3 and relate to the fact that the bracing straps are embodied in the form of connectors arranged in planes that are parallel or nearly parallel to the longitudinal axis

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of the aircraft, and that they are dependent on the direction of the greatest shifting force acting along the longitudinal axis of the aircraft, are clearly derived from the prior art (D2), and therefore claim 3 does not meet the criterion of inventive step.

D4 discloses a device for accommodating cargo which comprises pallets for stacking cargo on which protruding elements are embodied in order to prevent the packages on the bottom from being displaced or shifting, and therefore claim 4 does not satisfy the criterion for inventive step.

D1 discloses a device for accommodating cargo on an aircraft and airdropping said cargo therefrom comprising pallets for stacking cargo which are placed between laterally-oriented guides on roller tracks, along which the cargo is displaceable by the horizontal vector of the force of gravity, and means for fixing pallets to prevent their displacement that are detachable from each other, and therefore claims 5 and 6 do not satisfy the criterion of inventive step.

The features of claims 7 and 8, which are characterized by the fact that "the point of intersection of one end of the single, resilient, flexible rod with the aircraft is located in the front portion of the cargo hold, and the other end, after being bent prior to positioning for airdropping, is located in the rear portion of the cargo hold", in combination with the known features for increasing the reliability and ease of use, are neither disclosed in D1-D4, nor do they appear to be derived from the prior art, and therefore claims 7 and 8 satisfy the criterion of inventive step.

Claims 1-8 meet the requirement of industrial

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applicability.

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